

AMIDON Kathy

From: Eric Durrin [ericdurrin@bullseyeglass.com]
Sent: Friday, April 03, 2009 2:56 PM
To: 'Valdez.Heather@epamail.epa.gov'
Cc: AMIDON Kathy
Subject: Bullseye Glass Company – Applicability of 40 CFR 61, Subpart N

Hello Ms. Valdez,

I have been in contact with Kathy Amidon of the Oregon Department of Environmental Quality. Ms. Amidon is reviewing the permits for our facility. As part of her research, Ms. Amidon investigated regulations regarding arsenic trioxide as it applies to our process and permits.

It seems that 40 CFR 61.160(a) exempts pot furnaces. Further, it appears that the preamble to the original rule making (51 FR 27956, 8/4/1986) and noted in the Response to Comments/Applicability section that the 85% reduction of arsenic emissions applies to existing melting furnaces that emit more than 2.75 tons/yr.

Bullseye Glass manufactures colored art glass. We use a variety of furnaces to melt glass. All of our furnaces are "periodic", as opposed to "continuous". Internally, we refer to these furnaces as "pots" or "tanks". Basically, they are small furnaces that have raw materials charged into them, and after cooking, we ladle glass out of them. Our annual usage of arsenic trioxide is less than 2.5 tons.

In 2008, I worked with Susan Fairchild regarding the NESHAP for Glass Manufacturing Area Sources. At that time, artisan glass manufacturers like Bullseye were exempted from that rule. Our subset of the glass industry was not considered when regulations were drafted. In the same light, it seems to me that Bullseye Glass is operating below the thresholds for these regulations for arsenic trioxide.

I would appreciate your comment on whether these rules are applicable to our facility. I appreciate your efforts related to this matter.

Thank you,

Eric E. Durrin
Controller

Bullseye Glass Company

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